



James E. Middleton, Jr. agreed to plead guilty to auto theft. The plea agreement provided he would be sentenced to two years, with the executed portion and other terms of the sentence to be argued at the time of sentencing. Middleton was sentenced to two years but appeals the order his sentence be served consecutive to his sentences for two other offenses. We affirm.

At the sentencing hearing, the trial court stated:

[T]he Court will find that pursuant to the Pre-Sentence Report that the basis for the Court's imposition of consecutive sentencing is as set forth in the Pre-Sentence Report that the Defendant has recently violated the conditions of probation granted to that person, that the Defendant has a history of criminal or delinquent activity, and the Court will find those as aggravating, and mitigating that imprisonment of the person may result in undue hardship to a dependent of the person in the context of child support. That the aggravating do outweigh the mitigating for the justification for the consecutive sentencing.

(Tr. at 23-24.)

Middleton argues the trial court should have made a specific statement why each circumstance was considered mitigating or aggravating, and because it did not, his case should be remanded so the trial court may enter specific findings or resentence him to concurrent sentences. Middleton relies on *St. John v. State*, 523 N.E.2d 1353, 1358-59 (Ind. 1988), where our Supreme Court said:

A statement that the court has considered the "prior record" of the defendant is not sufficient to support an enhanced sentence. The incidents comprising the criminal activity must be particularly recited. The judge did not indicate that he relied on a criminal history contained in a presentence report, and nothing in the record indicates St. John's "prior record."

*Id.* (internal citations omitted).

*St. John* does not control because the trial court explicitly referred in its sentencing statement to Middleton's pre-sentence report. *See Young v. State*, 562 N.E.2d 424, 428 (Ind. Ct. App. 1990) (sentencing statement that indicated court relied on and incorporated by reference Young's presentence report was sufficient to support Young's enhanced sentence on the basis of his prior criminal record).

Middleton's presentence report reflects a criminal history that began in Texas in 1985 with misdemeanor convictions for a bad check and theft by rental. In 1987 Middleton was convicted in Indiana of fraud as a Class D felony. In 1988, also in Indiana, he was convicted of theft as a Class D felony, auto theft, receiving stolen auto parts as a Class D felony, and check deception as a Class A misdemeanor. In 1990 he violated his probation on the check deception conviction. In 1991 he was convicted of theft as a Class D felony and again violated his probation. In 1991 he was convicted of check deception as a Class A misdemeanor and five counts of theft as Class D felonies. In 1993 he was convicted of two counts of forgery as Class C felonies. In 1994 he was convicted of seventeen counts of theft as Class D felonies. In 1999, in Michigan, he was convicted of uttering and publishing, a felony. Also in 1999, in Indiana, he was convicted of two counts of forgery as Class C felonies, resisting law enforcement as a Class D felony, and theft as a Class D felony. In 2005 he was convicted in Michigan of uttering and publishing, a felony. In 2006, after the conviction in the instant case, he was convicted of forgery as a Class C felony, theft as a Class D felony, and fraud as a Class D felony.

The trial court's reference to the pre-sentence report provides ample support for consecutive sentences.

Affirmed.

SHARPNACK, J., and BAILEY, J., concur.